

## **REMARKS**

Claims 2-8, 42, 43 and 53-67 are currently pending.

Claims 1, 9-41 and 44-52 are canceled.

Claims 2-8, 42 and 43 are currently amended.

Claims 53-67 are newly added.

### ***Election/Restriction***

Applicants hereby affirm the election to prosecute the invention of Groups I and II (claims 1-36 and 42-52). Claims 37-41 have been withdrawn from further consideration by the Examiner, and are now canceled by applicants. Applicants reserve all rights to the subject matter of claims 37-41 (and all canceled claims) in this application or a continuing application.

### ***Allowable Subject Matter***

Claim 43 is indicated to be allowable if rewritten to overcome the rejection under 35 USC § 112 and to include all the limitations of the base claim.

Claim 43 has been amended and recites allowable subject matter. Allowance of claim 43 is respectfully requested.

### ***Claim Objections***

Claims 36, 40, 43, and 52 stand objected to by the Examiner.

Claims 36, 40 and 52 have been canceled. Applicants reserve all rights to the subject matter of claims 36, 40 and 52 in this application or a continuing application.

Claim 43 has been amended to address the alleged informality.

Withdrawal of the claim objections is respectfully requested.

### ***35 USC § 112***

Claims 1-26, 31-36, 40, 42-46 and 50-52 stand rejected under 35 USC § 112, second paragraph. Applicants traverse this rejection.

In order to expedite prosecution, Applicants have amended the claims to address the Examiner's comments.

Withdrawal of the rejection is respectfully requested.

**35 USC § 102 - Shin**

Claim 1 stands rejected under 35 USC § 102(a) as being anticipated by Shin. Applicants traverse this assertion.

Applicants make no admission regarding Shin being prior art to the instant application. Further, applicants make no admission regarding the alleged teachings of Shin.

Claim 1 has been canceled. The rejection is moot and is requested to be withdrawn.

**35 USC § 103 - Shin**

Claim 2-21, 26-27, 29-31, 35, 44 and 47-49 stand rejected under 35 USC § 103(a) as being unpatentable over Shin. Applicants traverse this assertion.

Applicants make no admission regarding Shin being prior art to the instant application. Further, applicants make no admission regarding the alleged teachings of Shin.

Claims 2-8 have been amended to depend from allowable claim 43. Claims 9-21, 26, 27, 29-31, 45, 44 and 47-49 have been canceled. Applicants make no admissions to the rejection(s) with regard to the amendments or cancellations.

Allowance of claims 2-8 is respectfully requested.

**35 USC § 103 - Shin + Weydanz**

Claim 22-25, 45 and 46 stand rejected under 35 USC § 103(a) as being unpatentable over Shin in view of Weydanz. Applicants traverse this assertion.

Applicants make no admission regarding Shin being prior art to the instant application. Further, applicants make no admission regarding the alleged teachings of Shin or Weydanz.

Claims 22-25, 45 and 46 have been canceled. Applicants make no admissions to the rejection(s) with regard to the cancellations.

Withdrawal of the rejection is respectfully requested.

**35 USC § 103 - Shin + Yoshida**

Claim 28, 32-34, 36, 42, 50 and 51 stand rejected under 35 USC § 103(a) as being unpatentable over Shin in view of Yoshida (EP 1 213 778). Applicants traverse this assertion.

Applicants make no admission regarding Shin being prior art to the instant application. Further, applicants make no admission regarding the alleged teachings of Shin or Yoshida.

Claim 42 has been amended. Claims 28, 32-34, 36, 42, and 51 have been canceled. Applicants make no admissions to the rejection(s) with regard to the amendments or cancellations.

Claim 42 recites, inter alia, a process comprising:

- pressing a target of cathode material, said cathode material is selected from the group consisting of  $\text{LiCoO}_2$ ,  $\text{LiMn}_2\text{O}_4$ ,  $\text{LiMn}_{1/3}\text{Ni}_{1/3}\text{Co}_{1/3}\text{O}_2$ ,  $\text{LiMn}_{1/2}\text{Ni}_{1/2}\text{O}_2$ ,  $\text{LiMPO}_4$ , wherein M is Fe, Co, Ni or Mn, and mixtures of at least two thereof,
- applying a laser on the target at capacities varying from 20 mW to 2 W to produce the porous material that constitutes the cathode,
- stripping the cathode material from the target with a laser, and
- depositing the porous cathode material on a porous Si/carbon/electrolyte half-battery.

Neither Shin nor Yoshida disclose the claimed method of claim 42. For example, neither Shin nor Yoshida discloses the step of applying a laser.

Allowance of claim 42 is respectfully requested.

**New Claims**

New claims 53-67 have been added. Support for these claims may be found throughout the specification and original claims. New claims 53-67 depend from claims 42 or 43, which should be allowed by the Examiner. Entry, consideration and allowance of the claims is respectfully requested.

***Conclusion***

For at least the reasons stated above, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejections and objections, and to allow the present application.

In the event that there are any questions concerning this amendment, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: 21 July 2010

By:

A handwritten signature in black ink, appearing to read "T.D. Boone". The signature is written in a cursive, stylized font.

Travis D. Boone

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